

### **REMARKS**

Claims 1- 49 are pending in the application, of which claims 1 -6, 8 – 14 and 18 – 49 are withdrawn. Claims 15 - 17 are allowed and claim 7 is rejected.

The withdrawn claims are hereby cancelled.

### **Allowable Subject Matter**

Examiner is thanked for his finding that claims 15 -17 are allowable

### ***Claim Rejections – 35 USC 102***

The Examiner rejected claim 7 under 35 USC 102(b), as being anticipated by Guo et al. US Patent No. 6,353,678.

Claim 7 has been amended to better defined the claimed subject matter and thereby overcome the rejection.

Claim 7 now teaches a method of automatic change detection between earlier and later images of a scene, wherein two-dimensional and three dimensional data is available within image data in said respective images. That is to say the earlier and later images both show 2D and 3D data. Some of the changes between the two images are 2D changes and some are 3D. An initial stage is carried out of naïve searching for changes, and this comes up with a simple list of changes between the two images. There follows a stage of determining which of those changes are associated with three dimensional data. For example the changed shape may or may not have a shadow.

The changes which are not associated with 3D data are then eliminated and the result is an enhanced list of changes where all the changes are 3D objects.

Guo by contrast uses parallax between left and right images to identify independently moving objects in a series of images representing a 3D scene.

Guo does not teach selection of all changes between earlier and later images and then the elimination of those changes which do not correspond to 3D data in order to provide an enhanced list. On the contrary it appears that since Guo uses parallax, non-3D changes would not be detected by him in the first place so there would be no need for him to eliminate them.

That is to say Guo does not obtain an initial list containing candidate changes between the first and second images. He does not then eliminate those changes that do not correspond to 3D data from this list since he never had such a list in the first place. He does not end up with an enhanced list showing the 3D changes since all that Guo detects is movement. That is to say Guo would detect a 2D object that is moving and would fail to detect a 3D object that is not moving but merely disappears between the first and second images.

Examiner points to Guo column 8 lines 38 – 39 but this does not refer to a list of changes. On the contrary it refers to a list of correspondences. The points need to correspond so that Guo can work out if he has the same 3D geometry between the two images. Likewise the Examiner points to Fig. 4 numeral 430 for indicating that candidate changes not including 3D data are eliminated. However Guo at this point only refers to failed correspondences, not failed changes. Furthermore no list items are failed. Rather the entire set of correspondences is failed and the calculation apparently starts again, see Guo column 9 lines 39 – 41.

For these reasons it is believed that claim 7 as amended is novel and inventive over Guo.

All the matters raised by the Examiner have been dealt with and allowance of the application is respectfully awaited.

Respectfully submitted,



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**Encl:**

- Petition for Extension (One Month)